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**FEB 17 2009**

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**Date:** February 16, 2009**TO:** Examiner Jyoti D. Dave - United States Patent and Trademark  
**Office****FAX NO.:** 571-273-8300**FROM:** William Curry

In re patent application of:

Applicant(s): James R. Larus.

Examiner: Jyoti D. Dave

Serial No: 10/659,221

Art Unit: 2191

Filing Date: September 10, 2003

**Title:** CONTRACTS AND FUTURES IN AN ASYNCHRONOUS PROGRAMMING  
LANGUAGE

TOTAL NUMBER OF PAGES (INCLUDING THIS PAGE): 5

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Dear Examiner Dave:

Attached please find a Applicant Initiated Interview Request Form and proposed amendments.

I would very much appreciate the opportunity to discuss this matter with you. And thank you for your time and consideration.

Sincerely,

William Curry

Reg. No. 43,572

**FEB 17 2009**

PTOL-413A (01-09)  
 Approved for use through 02/28/2009, OMB 0651-0031  
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## Applicant Initiated Interview Request Form

Application No.: 10/659,221 First Named Applicant: James R. Larus  
 Examiner: Jyoti D. Dave Art Unit: 2191 Status of Application: Pending

### Tentative Participants:

(1) Examiner Dave (2) William Curry  
 (3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 2/17/09 Proposed Time: 2 PM AM/PM

### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) §101, §102	1, 38, 45,	US 2003/0204574	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	54, 58, 63	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

### Brief Description of Argument to be Presented:

See Continuation Sheet

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/William Curry/

Applicant/Applicant's Representative Signature

William Curry

Typed/Printed Name of Applicant or Representative  
 43,572

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO in process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## Continuation Sheet - Applicant-Initiated Interview Request Form

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App. No. 10/659,221

Proposed Amendments

1. (Currently Amended) A system that facilitates asynchronous programming, comprising one or more computing devices configured with:

a contract component that facilitates stating a behavioral contract on an asynchronous service interface between a client interface and a service interface; and

a conformance checking component that checks that at least one of the client interface and the service interface conform to the contract defined therebetween.

(Similar proposed amendments to independent claims 38 and 63.)

58. (Currently Amended) ~~A computer software product that embodies~~ An article of manufacture tangibly embodying program instructions for execution by a processing unit, the processing unit retrieving the instructions from a computer-readable memory to facilitate concurrent execution of the instructions, the product comprising:

a contract component that creates a contract state between a client state and a service state;

an extraction component that automatically extracts a client model from the client state, a service model from the service state, and

an interface model from the contract state; and a conformance checking component that checks that the client model obeys the interface model, and the service model properly implements the contract model.

Arguments

The above proposed amendments overcome the applied 35 U.S.C. §101 rejection.

The claims stand further rejected under 35 U.S.C. §102(e) as being anticipated by Rehof et al. (US 2003/0204570) ("Rehof").

As to proposed independent claim 1, it is respectfully submitted that Rehof does not support the rejection for at least the reason that Rehof fails to disclose "a conformance checking component that checks that at least one of the client interface and the service interface conform to the contract defined therebetween," as recited in claim 1.

The Office Action cites Rehof at paragraph [0009] for the noted features (Office Action, p. 4, 3<sup>rd</sup> par.). Specifically, the Office Action states "behavioral analysis checks whether the implementation (of the message passing program module) conforms to an intended set of type processes)."

However, in the foregoing, the Office Action fails to point out anything resembling a contract as recited in claim 1. A contract requires at least two participants, but Rehof's par. [0009] relates only to a single "implementation." In more detail, par. [0009] describes a "system for evaluating properties of a message-passing module." To this end, the system "checks whether the implementation conforms to an intended set of type processes." The type processes "specify certain message-passing actions that the implementation is to perform as well as communication channels restricted for the actions." Thus, the operations described in Rehof are one-sided; that is, they relate only to the particular implementation of the message passing program module.

Accordingly, the Office Action fails to indicate, in Rehof, anything corresponding to a contract defined between a client interface and a service interface, as recited in claim 1. Similar remarks apply to independent claims 38, 45, 54, 58 and 63.